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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,458	09/30/2003	Michel Chevanne	Q77711	2008
23373 7590 11/19/2008 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037				
EXAMINER HUSSAIN, TAUQIR				
ART UNIT		PAPER NUMBER		
2452				
MAIL DATE		DELIVERY MODE		
11/19/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/673,458

**Applicant(s)**

CHEVANNE ET AL.

**Examiner**

TAUQIR HUSSAIN

**Art Unit**

2452

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 September 2008.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 and 9 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-6 and 9 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-8508)  
Paper No(s)/Mail Date \_\_\_\_\_  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. This office action is in response to amendment /reconsideration filed on 09/04/2008, the amendment/reconsideration has been considered. Claims 1, 2, 4 and 9 have been amended. Claims 1-6 and 9 are pending for examination, the rejection cited as stated below.

### ***Response to Arguments***

2. Applicant's arguments filed on 09/04/2008 have been fully considered but they are not deemed to be persuasive. In the remarks, applicant argued in substance that

(a) Prior art "Machida" does not teach, "storing information regarding the interconnection of each of the apparatus but instead recalculates this information each time a display request is received".

As to point (a) Examiner respectfully disagrees and refers to Machida, Abstract where system of Machida displays the positions of network connected apparatuses and recalculates/updates the positions before showing it on display/graphical user interface. It is Examiner's position that to update any information there has to be existing information before hand or old information stored even before recalculating/updating the old information has been calculated/updated at some point in time. Further Machida's calculation of position of apparatus is clearly an interconnection of apparatus on the network and defining a position of an apparatus is equivalent to a position of an apparatus with reference to the interconnection via network.

- (b) Prior art "Machida" does not teach "PMEM is not a long term storage".

As to point (b), Examiner notices that there is no such language in the claim which requires or defines the memory as "long term storage" or any other specific kind of memory.

- (c) Prior art "Machida" does not disclose, "Management means for accessing said sets of primary and secondary data and extracting from the memory at least one of the sets of primary and secondary data of the elements of the equipment".

As to point (c), Examiner respectfully disagrees and points to Machida, Fig.4, element-401 an interface used via management program which is equivalent to claims "management means" and Col.4, lines 15-22, where 402 describes the secondary details or function that a device or apparatus is able to perform further Fig.4, element-403b has expanded to display the secondary information or subset of domain information which is also equivalent to a secondary data.

- (d) Prior art "Machida" does not teach "element associated with hierarchical levels or that such elements are associated with primary or secondary data"

As to point (d), please refer to the discussion of point (c) above.

***Claim Rejections - 35 USC § 102***

3. The text of those sections of Title 35 U.S.C 102 not included in this action can be found in a prior Office Action.
4. Claims 1-6 and 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Machida et al. (Patent No.: US 6,885,387 B1), hereinafter "Machida".

5. Machida has been cited as prior arts in the last office action. The teachings that applicable are respectfully maintained and incorporated by reference as set forth in the last office action.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TAUQIR HUSSAIN whose telephone number is (571)270-1247. The examiner can normally be reached on 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 571 272 3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. H. /  
Examiner, Art Unit 2452

/Kenny S Lin/  
Primary Examiner, Art Unit 2452